

REMARKS

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

Applicants submit that “Serial No. 10/197,280” appearing at the top of pages 2-25 of the response filed May 6, 2004, by applicants, was a typographical error. This should have been “Serial No. 09/830,502.”

The objection under 35 U.S.C. § 132 to the specification as amended in the response filed May 6, 2004, is obviated by the above amendments to the specification. These amendments are not, however, an acquiescence in the correctness of the position of the U.S. Patent and Trademark Office; they are simply an effort to move prosecution of the application forward and avoid further encumbering it with an issue not relevant to patentability of the currently claimed invention.

The objection to claim 50 as being duplicative of claim 9 is respectfully traversed in view of the above cancellation of claim 50.

The rejection of claim 49 under 35 U.S.C. § 112 (2nd para.) for indefiniteness is respectfully traversed in view of the cancellation of claim 49.

The rejection of claims 48 and 49 under 35 U.S.C. § 112 (1st para.) for failure to comply with the written description requirement is respectfully traversed in view of the cancellation of claims 48 and 49.


The rejection of claim 50 under 35 U.S.C. § 112 (1st para.) for failure to comply with the written description requirement is respectfully traversed in view of the cancellation of these claims in the above amendment.

The rejection of claim 48 under 35 U.S.C. § 112 (1st para.) for lack of enablement is respectfully traversed in view of the cancellation of this claim.

In view of all of the foregoing, it is submitted that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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